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Renee Baker, Tara Carpenter,  
E.K. McDaniel, Dwight Neven, and David Tristan*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

BRENDAN JAMES NASBY  
Plaintiff,  
v.  
STATE OF NEVADA, *et al.*,  
Defendant

Case No. 3:20-cv-00231-RFB-CSD

**ORDER GRANTING MOTION FOR  
EXTENSION OF TIME TO FILE  
DEFENDANTS' DISPOSITIVE  
MOTIONS  
(First Request)**

Defendants Renee Baker, Tara Carpenter, E.K. McDaniel, Dwight Neven, and David Tristan, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Andrew C. Nelson, Deputy Attorney General, hereby moves this Court for an extension of time to file their Dispositive Motions. This Motion is made and based upon Federal Rule of Civil Procedure 6(b)(1)(A), the attached Points and Authorities, the papers and pleadings on file herein, and such other and further information as this Court may deem appropriate.

## MEMORANDUM OF POINTS AND AUTHORITIES

## I. FACTUAL BACKGROUND

This is an inmate civil rights actions brought by Plaintiff, Brendan James Nasby (“Nasby”), pursuant to 42 U.S.C. § 1983. This Court granted Plaintiff’s Motion for

1 Extension of Time (ECF No. 25) setting a deadline for dispositive motions of September 14,  
2 2022. (ECF. No 32 at 2:23).

3 **II. ARGUMENT**

4 Defendants respectfully request an extension of time from the current deadline  
5 (**September 14, 2022**) to file their Dispositive Motions. Counsel for Defendants, Lance C.  
6 White, Senior Deputy Attorney General, is no longer working for the Office of the Attorney  
7 General. The Defendants request a sixty (60) day extension from September 14, 2022, since  
8 the Office of the Attorney General will be reassigning this case to counsel unfamiliar with  
9 the facts. Defendants provide the following information in accordance with Local Rule IA  
10 6-1.

11 **A. Discovery Completed**

- 12 • Defendant Baker's Response to Plaintiff's Request for Production of  
13 Documents (Set One)
- 14 • Defendant Carpenter's Response to Plaintiff's Request for Production  
15 of Documents (Set One)
- 16 • Defendant McDaniel's Response to Plaintiff's Request for Production of  
17 Documents (Set One)
- 18 • Defendant Neven's Response to Plaintiff's Request for Production of  
19 Documents (Set One)
- 20 • Defendant Neven's Response to Interrogatories (Set One)
- 21 • Defendant Tristan's Response to Plaintiff's Request for Production of  
22 Documents (Set One)
- 23 • Defendant Baker's Response to Interrogatories (Set One)
- 24 • Defendant Carpenter's Responses to Plaintiff's Request for Admissions  
25 (Set One)

26 **B. Discovery that Remains to be Completed**

- 27 • Discovery is closed

28 / / /

1           **C. Reasons Why the Deadlines were not Satisfied**

2           •     No additional discovery is needed in this matter

3           **D. Proposed Deadlines**

4           •     Dispositive Motions Deadline: November 14, 2022

5           •     Joint Pretrial Order (if no dispositive motions filed): December 14, 2022

6           **E. Good Cause Supports this Request**

7           Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as  
8 follows:

9           This Court should find good cause supports this request. When an  
10          act may or must be done within a specified time, the court may,  
11          for good cause, extend the time: (A) with or without motion or  
12          notice if the court acts, or if a request is made, before the original  
13          time or its extension expires; or (B) on motion made after the time  
14          has expired if the party failed to act because of excusable neglect.  
15          Additionally, Defendants do not have time to confer with the  
16          Plaintiff, before the deadline, in order to obtain his consent for the  
17          requested extension.

18          Defendants' request is timely and will not hinder or prejudice Plaintiff's case, and  
19          will allow new Counsel an opportunity for a thorough review of the case before Summary  
20          Judgment. The requested extension of time will permit Defendants to file a well-researched  
21          and proper motions in this case. Defendants' named counsel is no longer at the Office and  
22          new counsel will be assigned to the matter and begin preparing any dispositive motions.  
23          Therefore, the Defendants request additional time to prepare for the dispositive motions  
24          deadline.

25           **III. CONCLUSION**

26          Defendants request this Court extend the deadline for dispositive motions in this  
27          matter. Defendants assert that the requisite good cause is present to warrant an extension  
28          of time, given the recent changes in personnel. The request is timely. Therefore, the

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1 Defendants request additional time, up and until **November 14, 2022**, to file dispositive  
2 motions in this matter.

3 DATED this 13th day of September, 2022.

4 AARON D. FORD  
5 Attorney General

6 By: /s/ Andrew C. Nelson  
7 Andrew C. Nelson, Bar No. 15971  
Deputy Attorney General

8 *Attorneys for Defendants*

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10 IT IS SO ORDERED.

11 DATED: September 14, 2022.

12   
13 UNITED STATES MAGISTRATE JUDGE

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